

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
WESTERN DISTRICT OF PENNSYLVANIA
JOSEPH F. WEIS JR. U.S. COURTHOUSE
700 GRANT STREET
PITTSBURGH, PA 15219
www.pawd.uscourts.gov

JOSHUA C. LEWIS
CLERK OF COURT
412-208-7500

IN REPLYING, GIVE NUMBER
OF CASE AND NAMES OF PARTIES

CHRIS MARUCCI,)
Plaintiff,)
v.) Case No. 2:15-cv-01365-MBC
NOVO NORDISK, INC.,)
Defendants.)

CLERK'S NOTICE

Dear Counsel:

I have been made aware that while Judge Cohill presided over this case he may have owned stock in defendant, Novo Nordisk, Inc., or an affiliate. Judge Cohill's ownership of stock neither affected nor impacted his decisions in this case. Indeed, his only involvement on the merits of this case was ordering its closure upon being informed that the parties stipulated to its dismissal with prejudice. However, stock ownership in a party would have required recusal under the Code of Conduct for United States Judges, and thus, because I have been made aware of this matter, I am providing notice to the parties of the potential conflict.

Advisory Opinion 71, from the Judicial Conference Codes of Conduct Committee, provides the following guidance for addressing disqualification that is not discovered until after a judge has participated in a case:

[A] judge should disclose to the parties the facts bearing on disqualification as soon as those facts are learned, even though that may occur after entry of the decision. The parties may then determine what relief they may seek and a court (without the disqualified judge) will decide the legal consequence, if any, arising from the participation of the disqualified judge in the entered decision.

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Although Advisory Opinion 71 contemplated disqualification after a Court of Appeals oral argument, the Committee explained “[s]imilar considerations would apply when a judgment was entered in a district court by a judge and it is later learned that the judge was disqualified.”

Although no judgment was entered by Judge Cohill in this case, nevertheless, with Advisory Opinion 71 in mind, you are invited to respond to this Notice should you believe it necessary to do so. Should you wish to respond, please submit your response on or before December 15, 2021. Any response will be considered by another judge of this court without the participation of Judge Cohill.

Dated: November 15, 2021

/s/ Joshua C. Lewis

Joshua C. Lewis
Clerk of Court

cc: All Counsel (via CM/ECF electronic notification)